

REMARKS

Claims 1-6, 17 and 19 are pending in this application.

Claim 1 is an independent claim from which the remaining claims depend.

Entry of Amendment

The above amendment should be entered because it places the application in condition for allowance. The amendment cancels the objected to claims and also modifies the wording of base claim 1. The amendment to claim 1 still includes the subject matter that the Examiner considered allowable in claim 1 as set forth in Section 12 of the Office Action.

Reply to Objections

Claims 18 and 20 were objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

These claims have been canceled and the objection is moot.

Reply to Rejections

Claims 1-6, 17 and 19 were rejected under 35 USC 112 first paragraph, as failing to comply with the written description requirement. Claim 1 has been amended and now does comply with 35 USC 112 first paragraph. Also the dependent claims comply with 35 USC 112 first paragraph in view of the amendments to the base claim.

The Examiner is requested to reconsider and withdraw the rejection of the claims under 35 USC 112 first paragraph.

Second Rejection

Claims 1-6 are rejected under 35 USC 112 second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. This rejection in view of the amendment to base claim 1 is traversed.

Base claim 1 has been amended and now does comply with 35 USC 112 second paragraph.

The Examiner is requested to reconsider and withdraw the rejection of the claims under 35 USC 112 second paragraph.

Third Rejection

Claims 7-16, 18 and 20 were rejected under 35 USC 103(a) as being unpatentable over WO '400 (WO91/03400). These claims have been canceled and the rejection is now moot.

Allowable Subject Matter

In Section 12 of the Office Action, the Examiner indicated that claims 1-6, 17 and 19 would be allowable if rewritten or amended to overcome the rejections under 35 USC 112. Claim 1 has been amended and complies with 35 USC 112. The dependent claims are considered patentable at least for the same reasons as base claim 1.

Foreign Priority

In section 1 of the Office Action, the Examiner indicates that a certified copy of the Israel 132708 has not been received. A review of the record indicates that the International Bureau did forward the Israel 132708 to the U.S. Patent Office. Enclosed for example and marked Attachment A of three pages (1) Is notification from the Patent Office dated January 4, 2002 indicating that the foreign applications were noted. (2) Is a copy of the International Publication front page indicating that the priority data regarding Israel 132708 was submitted. (3) Is a copy of a letter from the International Bureau indicating that the priority documents were submitted including Israel 132708.

The Patent Office is requested to review its records and files for the alleged missing Israel document 132708.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Elliot Goldberg (Reg. No. 33,347) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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2786-186P

Attachment



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/914,227	12/19/2001	3721	630	2786-0186P	11	16	2

2292
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CONFIRMATION NO. 2035
FILING RECEIPT



Date Mailed: 01/04/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Yehuda Yamay, Byniamina, ISRAEL;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A 371 OF PCT/IL00/00114 02/23/2000

Foreign Applications

ISRAEL 128710 02/24/1999
ISRAEL 132708 11/02/1999

Projected Publication Date: Not Applicable, filed prior to November 29,2000

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Packaging method and apparatus

Preliminary Class

053

(1)

PCT

WORLD INTELLECTUAL PROPERTY ORGANIZATION
International Bureau



INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification ⁷ : B65B 31/02		A1	(11) International Publication Number: WO 00/50305 (43) International Publication Date: 31 August 2000 (31.08.00)
(21) International Application Number: PCT/IL00/00114 (22) International Filing Date: 23 February 2000 (23.02.00) (30) Priority Data: 128710 24 February 1999 (24.02.99) IL 132708 2 November 1999 (02.11.99) IL		(81) Designated States: AE, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CR, CU, CZ, DE, DK, DM, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG). Published <i>With international search report.</i>	
(71) Applicant (for all designated States except US): HEFESTUS LTD. [IL/IL]; P.O. Box 56, 30500 Byniamina (IL). (72) Inventor; and (75) Inventor/Applicant (for US only): YAMAI, Yehuda [IL/IL]; P.O. Box 56, 30500 Byniamina (IL). (74) Agent: REINHOLD COHN AND PARTNERS; P.O. Box 4060, 61040 Tel-Aviv (IL).			
(54) Title: PACKAGING METHOD AND APPARATUS			
(57) Abstract			
<p>A method for packaging a product in a hermetically sealed container having a cup-shaped rigid or semi-rigid body with a rim fitted with a closure, the method comprising introducing the product into the cup-like shaped body (106). Forming an isolated space (204) with a gas inlet (134) and a gas outlet (112), the space defined between the body and a closure-forming member (200) adjacent to and with a clearance from the rim (107). Introducing a replacement gas through the inlet to replace at least a substantial portion of gas originally contained in the isolated space, and displacing at least one of the body or the closure-forming member towards the other of the two members to close the clearance and to attach the closure-forming member to the rim, and hermetically attaching the two to one another to form a gas-tight seal.</p>			

PATENT COOPERATION TREATY

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NOTIFICATION CONCERNING
SUBMISSION OR TRANSMITTAL
OF PRIORITY DOCUMENT

(PCT Administrative Instructions, Section 411)

Date of mailing (day/month/year) 31 March 2000 (31.03.00)	From the INTERNATIONAL BUREAU To: REINHOLD COHN AND PARTNERS P.O. Box 4060 61040 Tel-Aviv ISRAËL
Applicant's or agent's file reference 123419.4 LK	IMPORTANT NOTIFICATION
International application No. PCT/IL00/00114	International filing date (day/month/year) 23 February 2000 (23.02.00)
International publication date (day/month/year) Not yet published	Priority date (day/month/year) 24 February 1999 (24.02.99)
Applicant HEFESTUS LTD, et al	

1. The applicant is hereby notified of the date of receipt (except where the letters "NR" appear in the right-hand column) by the International Bureau of the priority document(s) relating to the earlier application(s) indicated below. Unless otherwise indicated by an asterisk appearing next to a date of receipt, or by the letters "NR", in the right-hand column, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).
2. This updates and replaces any previously issued notification concerning submission or transmittal of priority documents.
3. An asterisk (*) appearing next to a date of receipt, in the right-hand column, denotes a priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b). In such a case, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.
4. The letters "NR" appearing in the right-hand column denote a priority document which was not received by the International Bureau or which the applicant did not request the receiving Office to prepare and transmit to the International Bureau, as provided by Rule 17.1(a) or (b), respectively. In such a case, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

Priority date	Priority application No.	Country or regional Office or PCT receiving Office	Date of receipt of priority document
24 Febr 1999 (24.02.99)	128710	IL	13 Marc 2000 (13.03.00)
02 Nove 1999 (02.11.99)	132708	IL	13 Marc 2000 (13.03.00)

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. (41-22) 740.14.35	Authorized officer Ingrid Aulich Telephone No. (41-22) 938.83.33
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Form PCT/B/304 (July 1988)

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